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**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Edenson et al.

Art Unit: 3621

Serial No.: 09/170,864

Examiner: Elisca, Pierre E.

Filed: 13 October 1998

Docket No. TI-25667

For: **SECURE DISTRIBUTION OF DIGITAL DATA****CERTIFICATION OF FACSIMILE TRANSMISSION**

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<input checked="" type="checkbox"/> <b>FACSIMILE COVER SHEET</b>	<input type="checkbox"/> <b>AMENDMENT ( Pages)</b>
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<input type="checkbox"/> <b>DECLARATION (# Pages)</b>	<input type="checkbox"/> <b>NOTICE OF APPEAL</b>
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<input type="checkbox"/> <b>INFORMAL DRAWINGS</b>	<input checked="" type="checkbox"/> <b>PETITION TO WITHDRAW FINALITY (x3)</b>
<input type="checkbox"/> <b>CONTINUATION APP'N (# Pages)</b>	
<input type="checkbox"/> <b>DIVISIONAL APP'N</b>	
<b>NAME OF INVENTOR(S):</b>	
Edenson et al.	
<b>TITLE OF INVENTION:</b>	
<b>SECURE DISTRIBUTION OF DIGITAL DATA</b>	
<b>TI FILE NO.:</b>	<b>DEPOSIT ACCT. NO.:</b>
TI-25667	20-0668
<b>FAXED:</b> 08/06/2004	
<b>ATTY/SEC'Y:</b> CAB:ss	
<b>RECEIPT DATE &amp; SERIAL NO.:</b>	
Application No.: 09/170,864	
Filing Date: 13 October 1998	

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Examiner: Elisca, Pierre E.

Filed: 13 October 1998

Docket No. TI-25667

For: SECURE DISTRIBUTION OF DIGITAL DATA

**PETITION TO WITHDRAW FINALITY OF REJECTION**  
**UNDER 37 CFR 1.181**

6 August 2004

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

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Charles A. Brill	Date

Sir:

Applicants petition the Commissioner to withdraw the finality of the rejection mailed 20 February 2004 in the above-referenced application.

Section 706.07(a) of the MPEP states, "a second or any subsequent action on the merits in any application . . . will not be made final if it includes a rejection, on newly cited art, other than information submitted in an information disclosure statement . . . of any claim not amended by applicant or patent owner . . . .

Claims 25-40 were rejected on 21 July 2003 based on U.S. Patent No. 4,593,353 to Pickholtz. A response to that rejection made on 21 January 2004 did not amend any claims. On 20 February 2004 the Examiner rejected Claims 25-40 based on U.S. Patent 4,117,605 to Kurland et al., which had not previously been cited. In the rejection dated 20 February 2004 the Examiner stated, "Applicant's arguments filed on 1/21/2004 have been fully considered but they are moot in view of new ground(s) of rejection."

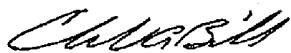
TI-25667 - Page 1

Thus, as the applicant did not amend the claims or file an information disclosure statement, and the new rejection is admitted to be a new ground of rejection based on newly discovered art found in yet another search by the Examiner, the finality of the rejection is improper and should be withdrawn.

The applicant has requested that the Examiner withdraw the finality of the rejection, but the Examiner has not done so. Therefore the applicant respectfully requests the Commissioner to withdraw the finality of the rejection.

The Commissioner is authorized to charge the deposit account of Texas Instruments Incorporated, Deposit Account No. 20-0668 for any necessary fees, including any necessary extension of time fees. **This form is submitted in triplicate.**

Respectfully submitted,



---

Charles A. Brill  
Registration No. 37,786

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Dallas, Texas 75265  
Phone: (972) 917-4379

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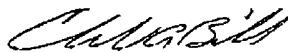
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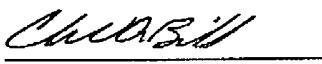
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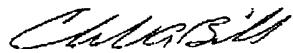
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